



Congressman Pedro R. Pierluisi  
Statement in Support of Amendment Offered By Henry Brown (R-SC)  
Markup of H.R. 2499, the Puerto Rico Democracy Act of 2009  
Committee on Natural Resources  
*July 22, 2009*

Thank you.

Congressman Brown, I want to begin by thanking you for being an original co-sponsor of H.R. 2499. You have always been a champion on this issue, having also been an original co-sponsor of H.R. 900 in the 110th Congress and H.R. 4867 in the 109th Congress. Governor Fortuño and I are grateful for your support over the years.

While I do not believe your amendment is necessary to secure the result it seeks to achieve, I support it nonetheless.

As I see it, printing bilingual ballots is a question of basic fairness and equal protection of the law. Pursuant to a 1993 local law, the official languages of Puerto Rico are Spanish and English. According to the 2000 census, 14.4% of Puerto Rico residents over the age of five speak only English. Approximately 71% of those residents—at least 362,000 people—are of voting age. Furthermore, the bill makes eligible to vote certain U.S. citizens born in Puerto Rico but not currently residing there. It is likely that some of these individuals use English as their primary

language. If H.R. 2499 becomes law, these individuals would be no less entitled to participate in the plebiscite process than those individuals whose primary language is Spanish. Accordingly, the ballot should contain instructions in both Spanish and English. It is as simple as that.

As I mentioned, this amendment would merely confirm what is already virtually certain to be the case. Mr. Chairman: I would like to submit for the record the ballot used in the November 2008 election for governor of Puerto Rico and resident commissioner. The ballot is written in both Spanish and English. This was pursuant to a September 2008 decision rendered by a federal judge in the District of Puerto Rico, and subsequently affirmed by the First Circuit Court of Appeals. That decision held that a Spanish-only ballot would violate the rights of the English-speaking plaintiffs' Fourteenth Amendment right to equal protection of the law and their First Amendment right to free expression. Any effort to print a Spanish-only ballot in any plebiscite authorized by this bill would clearly run afoul of this judicial decision.

In any event, to eliminate any doubt on this issue, I support Mr. Brown's amendment and respectfully encourage my colleagues on the Committee to do so as well.